

Judge: Nachmanoff

SENTENCING

Date: 1/19/2023

Reporter: Diane Salters

Time: 10:15 am to 10:39 am

Interpreter: N/A

Cr. # 1:22-cr-135

AUSA: David Peters

U.S. v. Kevin Lee

Defense: Robert Jenkins

Court finds the guidelines to be properly assessed at a range of 51 to 63 months.

Considering the factors under § 3553, and considering the Court finds that the following sentence is appropriate.

- Govt's motion regarding victim statement-GRANTED.
- Variance Sentence to be imposed

Sentence Imposed:

36 Months and 1 day of imprisonment

3 Years supervised release

Conditions of Supervised Release:

1. If not paid in full by the time the defendant is released from custody, any remaining balance on the restitution shall be paid in equal monthly payments of \$200, to commence within 60 days of release, until paid in full.
2. The defendant shall apply all monies received from income tax refunds, inheritances, judgments, and any anticipated or unexpected financial gains, to the outstanding court-ordered financial obligation, or in a lesser amount to be determined by the court, upon the recommendation of the probation officer.
3. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
4. The defendant shall provide the probation officer access to any requested financial information, including all personal, joint, and business assets from which he derives any benefit.
5. The defendant shall undergo a mental health evaluation and, if recommended, participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by the defendant as directed by the probation officer.
6. If the defendant tests positive for controlled substance or shows signs of alcohol abuse, the defendant shall participate in a program approved by the United States Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the defendant has reverted to the use of drugs or alcohol, with partial cost to be paid by the defendant, all as directed by the probation officer.
7. The defendant shall not maintain a position of fiduciary capacity without permission of the probation officer.
8. The defendant is to refrain from any and all forms of gambling, to include lottery gaming, and is prohibited from entering any establishment where gambling is a source of revenue.
9. The defendant must inform any employer of the convicted offense as directed by the probation officer.

Monetary penalties:

\$100 Assessment \$ 0 Fine

\$7,016,129.50 Restitution Ordered pursuant to the Restitution Judgment entered .

Defendant: _____ Remanded ☒ To voluntarily surrender once space is available.

Recommendation to BOP: to stay at a facility (FCI Morgantown) as close to his home as possible